

LAW OFFICE OF LUKAS J. THOMAS, LLC

53 EAST AVENUE, NORWALK, CT 06851
TEL. 203-978-1122 FAX 203-513-3349

February 14, 2013

Connecticut General Assembly
Housing Committee
Legislative Office Building
Hartford, CT

RE: Affordable Housing Public Hearing

To the Chairs, Vice-Chairs, Ranking Members and Members of the Housing Committee:

My name is Lukas J. Thomas and I reside in Fairfield, Connecticut. For the past year, my neighbors and I have been fighting a particular developer who is attempting to put an "affordable housing development" on a parcel of land that is approximately one tenth of an acre. This proposed development would consist of one affordable housing unit and two market rate units. This neighborhood is predominantly comprised of single family homes on either a quarter of an acre, which are conforming homes, or on one tenth of an acre, which are pre-existing, non-conforming homes.

This developer purchased a single family home that was built upon two one tenth acre lots. The single family home was built on one parcel and there is an in-ground pool on the second parcel. Once the pool was put in, these two lots were effectively merged. Prior to filing an 8-30g affordable housing application with the town plan and zoning commission, the developer attempted to build a single family house on the parcel that contained the in-ground pool. He was advised by the plan and zoning commission staff that the lots had merged and that under the current zoning regulations he could not build a single family house on the second parcel.

Thereafter, once the developer had filed his 8-30g affordable housing application, at the public hearing held to consider the developer's application, one of the plan and zoning commission members asked this question directly "Did you file this affordable housing application because you knew, if approved, that would be your only way to build on this parcel?" The developer answered in the affirmative and further went on to make it clear that he only wants to build a single family house and is hoping the town would "settle" with him. In essence, allow him to build the single family house no matter what the current zoning regulations say.

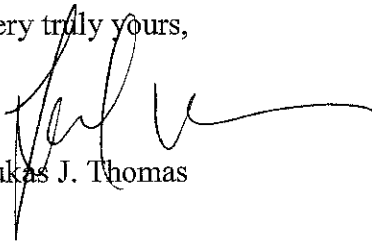
It is clear that many towns like Fairfield will continue to be "marked" by developers because they know that these towns are nowhere near the threshold for the statutorily allowed moratorium on appeals and they can build what they want, where they want, because if the town plan and zoning commission doesn't approve their development plan at the outset, then, they can simply build it as an 8-30g affordable housing development.

It is my belief that, a municipality should play a role in the development of affordable housing. Affordable housing should be made a part of the municipality's plan, whether comprehensive or stand-alone, and should not be left to the whims of developers.

While there are a number of proposed bills on this issue, I would urge this committee to specifically consider Proposed Bills 5220, 5625, 6117 and 6293.

I thank you all for your time and for your efforts.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Lukas J. Thomas', with a long horizontal flourish extending to the right.

Lukas J. Thomas